

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

MERT DUYMAYAN,

Plaintiff,

vs.

LAS VEGAS CITY
CODE ENFORCEMENT,

Defendant.

Case No.: 2:25-CV-00225-GMN-EJY

**ORDER ADOPTING
REPORT AND RECOMMENDATION**

Pending before the Court is the Report and Recommendation (“R&R”), (ECF No. 3), from United States Magistrate Judge Elayna J. Youchah recommending that this matter be DISMISSED in its entirety because the Court lacks subject matter jurisdiction over Plaintiff’s claim. Judge Youchah also recommends that Plaintiff’s *in forma pauperis* application be DENIED because it is incomplete.

A party may file specific written objections to the findings and recommendations of a United States Magistrate Judge made pursuant to Local Rule IB 1-4. 28 U.S.C. § 636(b)(1)(B); D. Nev. R. IB 3-2. Upon the filing of such objections, the Court must make a *de novo* determination of those portions to which objections are made if the Magistrate Judge’s findings and recommendations concern matters that may not be finally determined by a magistrate judge. D. Nev. R. IB 3-2(b). The Court may accept, reject, or modify, in whole or in part, the findings or recommendations made by the Magistrate Judge. 28 U.S.C. § 636(b)(1); D. Nev. R. IB 3-2(b). Where a party fails to object, however, the Court is not required to conduct “any review at all . . . of any issue that is not the subject of an objection.” *Thomas v. Arn*, 474 U.S. 140, 149 (1985) (citing 28 U.S.C. § 636(b)(1)). Indeed, the Ninth Circuit has recognized that a district court is not required to review a magistrate judge’s R&R where no objections have been filed. *See, e.g., United States v. Reyna–Tapia*, 328 F.3d 1114, 1122 (9th Cir. 2003).

1 No objections to the R&R were filed, and the deadline to do so has passed. (*See* R&R,
2 ECF No. 3) (setting a February 20, 2025, deadline for objections). Plaintiff filed an Amended
3 Complaint, (ECF No. 4), after the R&R was filed, but the Court does not construe the Amended
4 Complaint as an Objection because Magistrate Judge Youchah explained in the R&R that
5 amendment would be futile.

6 Accordingly,

7 **IT IS HEREBY ORDERED** that the Report and Recommendation, (ECF No. 3), is
8 **ACCEPTED and ADOPTED** in full.

9 **IT IS FURTHER ORDERED** that Plaintiff's *in forma pauperis* application (ECF No.
10 1) is **DENIED**.

11 **IT IS FURTHER ORDERED** that Plaintiff's Complaints, (ECF Nos. 1-2, 4), are
12 **DISMISSED without prejudice** so that Plaintiff can, if he so chooses, pursue his claim in the
13 Eighth Judicial District Court for Clark County, Nevada.

14 The Clerk of Court is kindly requested to close the case.

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16 Dated this 27 day of February, 2025.

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20 Gloria M. Navarro, District Judge
21 United States District Court
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